

HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	Cabinet
Date:	24 May 2010
Title:	Response to the Secretary of State's proposed changes to the Regional Spatial Strategy for the South East - Policy M3 – Primary land-won aggregates and sub-regional apportionment
Reference:	1622
Report From:	Director of Environment

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1. Executive Summary

1.1. The Government Office for the South East (GOSE) has consulted on the Secretary of State's 'proposed changes' to the Regional Spatial Strategy for the South East - Policy M3 - Primary land-won aggregates and sub-regional apportionment.

1.2. The proposed changes are the outcome of a process over the past 18 months to update policy on aggregate (sand, gravel and hard rock) production – 'the apportionment' – until 2026. The process included scrutiny of draft policy at an Examination in Public (EiP) in October 2009. The EiP Panel Report has informed the Secretary of State's proposed changes which are now subject to public consultation.

1.3. The consultation closes on 1 June 2010.

1.4. This paper:

- (i) outlines the background to the current consultation on the Secretary of State's proposed changes to Policy M3 of the South East Plan and apportionment for sand and gravel for Hampshire;
- (ii) identifies and discusses the key issues resulting from the proposed changes; and
- (iii) recommends a response to the consultation that the proposed apportionment is in excess of Hampshire's needs but welcomes other aspects of the proposed policy.

2. Contextual information

- 2.1. To maintain a healthy and resilient local economy for Hampshire, a sustainable supply of aggregates (locally extracted sand and gravel as there are no available hard rock resources) is required to support the maintenance and construction of buildings, roads and other infrastructure.
- 2.2. The levels of extraction of these aggregates should be tempered by the need to preserve and protect the special nature of Hampshire's environment and minimise the impacts of extraction on the community.
- 2.3. Historically, Hampshire has provided sharp sand and gravel in the area to the south and west of the New Forest and in the north-east of the county near the Berkshire border. Regionally, important soft sand deposits are worked in the east of the county in the Bordon area. Whilst the south Hampshire market has previously been supplied by local land-won extraction there is now increasing reliance on marine-dredged sand and gravel via wharves and imported hard rock via rail depots.
- 2.4. A statutory requirement is placed on the County Council to produce a Development Plan Document known as the Hampshire Minerals and Waste Development Framework (HMWDF). The HMWDF sets out how much mineral is required for Hampshire over the next 15 years, where it should come from and environmental safeguards. The HMWDF is currently prepared jointly with Southampton and Portsmouth City Councils, and the New Forest National Park Authority. The South Downs National Park Authority will become a Minerals and Waste Planning Authority in its own right from April 2011 and is likely to become a partner in the HMWDF. The proposed Policy M3 provides a context for the HMWDF.

3. The 'Apportionment'

- 3.1. The amount of aggregate required is published periodically in the National and Regional Guidelines for Aggregates. The Guidelines set out regional figures for land-won sand and gravel extraction, recycled aggregate production and marine-dredged material. The most recent Guidelines indicated an 8% reduction on the previous levels for the South East from 13.25 to 12.18 million tonnes per annum (mtpa).
- 3.2. The South East England Regional Assembly (SEERA), now the South East England Partnership Board (SEEPB), consulted on a revised Policy M3 in 2008 with an apportionment based on the south-east supplying 12.18 mtpa. Following the consultation a revised version of Policy M3 was submitted to the Secretary of State. This revision made alterations to the apportionment and extended the South East Plan period from 2020 to 2026. Most importantly it proposed a south-east regional apportionment of 9.01 mtpa and a consequent apportionment for Hampshire of 1.62 mtpa. The justification for departing from the Guideline figure of 12.18 mtpa was it did not reflect the general trend in aggregate production, which has been lower over a long period than the proposed apportionment.

- 3.3. The SEEPB supported the proposed Policy M3 at the EiP. The County Council also attended the EiP to advocate Hampshire's support for the revised regional apportionment and provided evidence in support of the local apportionment of 1.62 mtpa.
- 3.4. The Panel report of the EiP conceded that the Guideline 12.18 mtpa was too high and, based on new evidence provided by Government, recommended a regional apportionment of 11.12 mtpa and corresponding 'local' apportionment for Hampshire of 2.05 mtpa.
- 3.5. The Panel was very firm, however, in discounting the case for the proposed regional apportionment of 9.01 mtpa on the basis that it had little technical justification. As a consequence the argument for a proposed local Hampshire apportionment of 1.62 mtpa was also rejected.
- 3.6 The Panel agreed with Hampshire's point that Policy M3 should include a clause that would enable the apportionment to be 'tested' through the Development Framework Process at the local EiP. This will mean that the County Council, when preparing mineral development documents that form the Mineral and Waste Development Framework can look again at the apportionment.
- 3.7 The Panel also agreed with the points made by Hampshire, Sussex County Council and the South Downs Joint Committee that soft sand resources within the South Downs National Park are important regionally and they should be considered for extraction, but only after prior consideration of resources outside the Park.

4. Implications for Hampshire

- 4.1. It is disappointing that the apportionment for the South East of 9.01 mtpa and for Hampshire of 1.62 mtpa has been rejected. The conclusions set out in the EiP Panel Report are noted. However the Secretary of State's proposed apportionment is still considered to be excessive. First, because it is unlikely in the medium term that sand and gravel production will return to the level of the proposed regional apportionment. Second, the proposed apportionment does not reflect what can be sustainably delivered in Hampshire.
- 4.2. The County Council had been in the process of preparing a Mineral Plan as part of the HMWDF but progress was halted by the review of Policy M3. Nevertheless, the Plan identified that proposals for sand and gravel extraction, subject to some updating of technical work and further consultation, form the basis of most sustainable supply patterns of local sand and gravel. However, this would not provide for the apportionment in the proposed Policy M3. Therefore it is again considered that the Secretary of State's apportionment should be opposed.

- 4.3. On the other hand, the inclusion of the 'local testing' clause in the proposed Policy M3 is seen as helpful and provides Hampshire with the opportunity to make the case for supply at variance with the apportionment of 2.05 mtpa. This will be a matter the County Council will consider in detail later in the HMWDF process, but it is suggested that this change in the Proposed Modifications should be supported.
- 4.4. The proposed approach to the soft sand resource in the South Downs National Park is also welcomed as it introduces some flexibility as to where material can be extracted. The Folkestone Beds soft sand resource is the most important source of building sand within the south-east of England and it is largely within the National Park. Within Hampshire, however, a significant part of the viable resource is in the Bordon area and is partly within and partly outside the Park. As Hampshire needs to produce up to 400,000 tonne per annum of building sand of which half would have to be from around Bordon, it is important that the Council can consider all the options for extraction. Possible extraction within the National Park should not be automatically ruled out.
- 4.5. It is hoped that the response will also be supported and therefore submitted on behalf of the County Council's Local Development Framework partners, Southampton and Portsmouth City Councils and the New Forest National Park Authority.

5. Recommendations

- 5.1. That the Cabinet agrees a response to the Secretary of State's consultation on the proposed changes to Policy M3 of the Regional Spatial Strategy for the South East (The South East Plan) on the basis that:
- (i) the County Council objects to the proposed apportionment for Hampshire of local sand and gravel extraction of 2.05 million tonnes per annum as excessive;
 - (ii) the County Council supports the proposal to allow 'local testing' of the Hampshire apportionment at Public Examination of mineral development documents which could mean fewer sites being allocated; and
 - (iii) the County Council notes the provision that soft sand deposits within the South Downs National Park are not automatically ruled out for future extraction.
- 5.2 That the Cabinet authorises the Leader of the County Council to finalise a letter setting out the County Council's response to the Secretary of State.

CORPORATE OR LEGAL INFORMATION:**Links to the Corporate Strategy**

This proposal does not link to the Corporate Strategy but, nevertheless, requires a decision because:

The supply of sand and gravel is vital in maintaining Hampshire's economy and infrastructure, and as such forms a key component of the Hampshire Minerals and Waste Development Framework which sets out the strategy for the future infrastructure requirements for sustainable sand and gravel extraction in Hampshire.

Other Significant Links**Links to previous Member decisions:**

<u>Title</u>	<u>Reference</u>	<u>Date</u>
County Council Response to the Government Office for the South East Consultation on the partial review of the Regional Spatial Strategy for the South East http://www.hants.gov.uk/decisions/decisions-docs/090629-cabine-R0622095118.html	719	29 June 2009

Direct links to specific legislation or Government Directives

<u>Title</u>	<u>Date</u>
Policy M3 of the South East's Regional Spatial Strategy http://www.gos.gov.uk/gose/planning/regionalPlanning/798061/?a=42496	19 March 2010

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

<u>Document</u>	<u>Location</u>
None	

IMPACT ASSESSMENTS:

1. Equalities Impact Assessment:

1.1. No impact.

2. Impact on Crime and Disorder:

2.1. No impact.

3. Climate Change:

- a) How does what is being proposed impact on our carbon footprint / energy consumption?

Maintaining a sustainable supply of locally derived sand and gravel reduces the impacts of excessive transport from non-local sources.

- b) How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?

Carbon issues and climate change are dealt with in the Sustainability Appraisal work required to produce a sound planning document.